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Patrol institutes one-stop-per-hour requirement

By *CHARLES S. JOHNSON - IR State Bureau - 07/07/05*

HELENA — Since July 1, each Montana Highway Patrol officer driving on the state's roads has been required to stop at least one vehicle per hour, the patrol's chief, Col. Paul Grimstad, confirmed Wednesday.

Grimstad emphasized that these new targets are guidelines—not quotas—aimed at reducing traffic accidents, fatalities and drunken driving on the state's highways.

"We're trying to set at least a minimum of one stop per hour so our 170-odd troops out here can maybe make a little more difference," he said.

Officers are required to make one stop per "non-obligated hour" when on duty patrolling the highways, he said. They are exempt if they are testifying in court, attending training, speaking in schools or investigating highway accidents, he said.

These stops do not have to result in a patrol officer issuing tickets to drivers, Grimstad said.

"We're not even telling them you have to have six tickets or nine warnings," Grimstad said.

The once-an-hour stop joins another Highway Patrol guideline, issued in December, that each Highway Patrol officer must issue a minimum of 12 tickets a year for alcohol-related offenses. These include charges of driving or being a pedestrian while intoxicated and being a minor in possession of alcoholic beverages.

Neither guideline is believed to have been disclosed to the general public previously.

Grimstad said he imposed the targets for several reasons: a 2004 legislative audit; the 2005 Legislature's

decision to provide more Highway Patrol officers and give the patrol officers a higher average pay raise than other state employees to help retain staff; and the need to reduce Montana's alcohol-related highway fatalities, which have been among the nation's highest.

"People are expecting us to do something," Grimstad said.

The legislative performance audit on the Highway Patrol suggested ways to improve the state agency by increasing officers' time patrolling the highways by coming up with other ways to address lower priority activities. It called for reducing sergeants' deskwork and having them out on the highways more to supervise officers.

Citing the legislators' decisions to boost patrol pay and staff, Grimstad said, "There is an expectation that they want some results, and we're trying to gear up for that to show we are worthy of the pay increase and the manpower increase."

He emphasized repeatedly that the targets are guidelines only, not quotas.

In a new law, the 2005 Legislature specifically prohibited local and state law enforcement agencies from imposing specific "quotas" telling officers how many arrests they must make or citations they must issue. Senate Bill 264 was sponsored by Sen. Frank Smith, D-Poplar, who could not be reached for comment.

However, the law, as amended by Sen. Jeff Mangan, D-Great Falls, provides an exemption that says the term quota "does not include the use of generally accepted management techniques that employ performance objectives as part of an overall employee evaluation."

Grimstad said Highway Patrol supervisors will review the stop records and alcohol-related tickets issued by officers as an evaluation, but they won't be graded "yea or nay." If someone is below the target, a supervisor may suggest further training, he said.

He's confident most officers would meet the targets. The average officer now issues 17-18 citations a year for alcohol-related crimes now, Grimstad said. The average officer and sergeant now makes 0.88 stops per non-obligated hour, he said.

Attorney General Mike McGrath, the state's chief law-enforcement and legal officer who oversees the patrol, supports the guidelines, spokeswoman Lynn Solomon said.

Asked how Highway Patrol officers were reacting to the targets, Grimstad said, "There are a couple who aren't happy. The vast majority are very supportive."

Tom Bivins, field representative for the Montana Public Employees Association, the union representing Highway Patrol officers, said the issue was discussed in management-labor meetings in the eight patrol districts this spring.

"To my knowledge, the Highway Patrol officers that I represent were OK with performance standards," he said. "There was a little grumbling about it initially. It certainly appeared to be a lack of communication."